

ESTTA Tracking number: **ESTTA581480**

Filing date: **01/13/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91204296
Party	Plaintiff JJJ International, Inc.
Correspondence Address	CRAIG M SCOTT SCOTT BUSH LTD ONE TURKS HEAD PLACE 4TH FLOOR PROVIDENCE, RI 02903 UNITED STATES cscott@scottbushlaw.com, smcgurk@scottbushlaw.com, pstroke@scottbushlaw.com
Submission	Other Motions/Papers
Filer's Name	Craig M. Scott
Filer's e-mail	cscott@scottbushlaw.com, erenner@scottbushlaw.com, smcgurk@scottbushlaw.com,pstroke@scottbushlaw.com
Signature	/Craig M. Scott/
Date	01/13/2014
Attachments	Stipulation re Evidence.pdf(33512 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
THE TRADEMARK TRIAL AND APPEAL BOARD

JJI INTERNATIONAL, INC.	:	
Opposer,	:	Appl. Ser. No.: 85356064
v.	:	Opposition No.: 91204296
SPARKLE LIFE, LLC	:	
Applicant.	:	

STIPULATION FOR INTRODUCTION OF EVIDENCE AT TRIAL

Pursuant to Trademark Rule of Practice 2.123(b) and TBMP § 705 (3d ed., Rev. 1), the parties, through their undersigned counsel, stipulate to submission of evidence at trial as follows:

1. Testimony may be introduced by sworn declaration in lieu of live deposition, subject to the parties' right to cross-examine declarants by live deposition;
2. The party offering testimony by declaration shall use best efforts to procure said declarant for live deposition if the other party so requests;
3. Each party may introduce as evidence, and rely on at trial, documents or things produced and/or disclosed in discovery by either party in this opposition proceeding, subject to the right of the party against whom the evidence is introduced to object to such evidence on any applicable ground, including but not limited to competency, relevance, and materiality; and
4. Each party may introduce as evidence, and rely on at trial, written discovery responses and/or disclosures of either party in this opposition proceeding, subject to the right of the party against whom the evidence is introduced to object to such evidence on any applicable ground, including but not limited to competency, relevance, and materiality.

JJI INTERNATIONAL, INC.

By: /Craig M. Scott/
Craig M. Scott, Esq.
SCOTT & BUSH LTD.
One Turks Head Place, 4th Floor
Providence, RI 02903
Phone: (401) 865-6035
Fax: (401) 865-6039
Email: cscott@scottbushlaw.com

Attorney for Opposer

Dated: January 13, 2014

SPARKLE LIFE, LLC

By: /Thomas E. Toner/
Thomas E. Toner, Esq.
Lowndes, Drosdick, Doster,
Kantor & Reed, P.A.
215 North Eola Drive
Orlando, Florida 32801
tom.toner@lowndes-law.com

Attorney for Applicant

Dated: January 13, 2014

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing *Stipulation for Introduction of Evidence at Trial* has been served on counsel to Sparkle Life LLC by sending said copy on January 13, 2014 via electronic mail and First Class Mail, postage prepaid to:

Sven W. Hanson
PO Box 357429
Gainesville, Florida 32635-7429
swhanson@bellsouth.net

Thomas E. Toner
Lowndes, Drosdick, Doster, Kantor & Reed, P.A.
215 North Eola Drive
Orlando, Florida 32801
tom.toner@lowndes-law.com

/s/ Craig M. Scott/